

United States Patent and Trademark Office

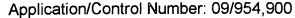
UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
09/954,900	09/18/2001	Mark Edward Marriott	8027.00015	8599	
. 759	90 07/24/2003				
Bliss McGlynn & Nolan, P.C.			EXAMINER		
Suite 600 2075 West Big Beaver Road			ROSENBAUM, MARK		
Troy, MI 4808	4		ART UNIT	PAPER NUMBER	
	•		3725		

DATE MAILED: 07/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Office Action Summary Examiner						Δ
Examiner Mark Rosenbaum 3725 The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply sepecified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply sepecified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply sepecified above, the maximum statutory period will apply and will apply and will apply set thirty (30) days will be considered timely. - If NO period for reply sepecified above, the maximum statutory period will apply and will apply set thirty (30) days will be considered timely. - If NO period for reply sepecified above, the maximum statutory period will apply and will apply a		Application No.		Applicant(s)		Ċ
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filled after SIX (6) MONTHS from the mailing date of this communication. If the period for reply sepecified above is tess than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is specified above is tess than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is expected above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication to become ABANDONED (35 U.S. 5 130). Any reply received by the Office later than three menths after the mailing date of this communication, even if timely filled, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status 1) □ Responsive to communication(s) filled on 23 June 2003. 2a) □ This action is FINAL. 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 1-24 is/are pending in the application. 4a) Of the above claim(s) □ is/are withdrawn from consideration. 5) □ Claim(s) 1-24 is/are rejected. 7) □ Claim(s) is/are allowed. 6) □ Claim(s) 1-24 is/are rejected to by the Examiner. 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on 10 June 2003 is/are: a) □ accepted or b) □ objected to by the Examiner.	Office Action Summan	<u> </u>	<u></u>		L .	
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If the period for reply sepcelfied above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. If the period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ANDONED (38 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status 1) ☑ Responsive to communication(s) filed on 23 June 2003. 2a) ☑ This action is FINAL. 2b) ☐ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☑ Claim(s) 1-24 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) 1-24 is/are rejected. 7) ☐ Claim(s) is/are allowed. 6) ☑ Claim(s) 1-24 is/are pended to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☑ The drawing(s) filed on 10 June 2003 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner.	Office Action Summary	Examiner				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILLING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If the period for reply secified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. If the period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 1330). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filed on 23 June 2003. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-24 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 1-24 is/are rejected. 7) Claim(s) 1-24 is/are rejected. 7) Claim(s) 1-24 is/are rejected to estriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 10 June 2003 is/are: a) accepted or b) objected to by the Examiner.	The MAN INC DATE of this communication and				delenan	
THE MAILING DATE OF THIS COMMUNICATION. Extensions of lime may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after Stx (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thiny (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is specified above is less than thiny (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. Failure to reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply specified timely filed on failure and the statutory minimum of thirty (30) days (at legitle filed) this communication. If NO period for reply specified above is days (41) days (41). If NO period for reply specified timely (41). I		ears on the cover s	sneet with the c	orrespondence ac	iaress	
1) ☐ Responsive to communication(s) filed on 23 June 2003. 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☐ Claim(s) 1-24 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-24 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on 10 June 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.131 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply: - If NO period for reply is specified above, the maximum statutory period with a properties of the propert	6(a). In no event, however within the statutory minim ill apply and will expire SI cause the application to b	er, may a reply be tim num of thirty (30) days X (6) MONTHS from Decome ABANDONE	nely filed s will be considered time the mailing date of this o D (35 U.S.C. § 133).		
This action is FINAL. 2b) ☐ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☐ Claim(s) 1-24 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-24 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☒ The drawing(s) filed on 10 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.		une 2003 .				
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☐ Claim(s) 1-24 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-24 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☒ The drawing(s) filed on 10 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.	·		ai.			
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-24 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-24 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 10 June 2003 is/are: a) accepted or b) objected to by the Examiner.	, 			osecution as to tl	ne merits is	i
4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) ☒ Claim(s) is/are rejected. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) ☒ The drawing(s) filed on 10 June 2003 is/are: a) ☒ accepted or b) □ objected to by the Examiner.	closed in accordance with the practice under E					
5) ☐ Claim(s) is/are allowed. 6) ☑ Claim(s) 1-24 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☑ The drawing(s) filed on 10 June 2003 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner.	4) Claim(s) 1-24 is/are pending in the application.					
6) Claim(s) 1-24 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 10 June 2003 is/are: a) accepted or b) objected to by the Examiner.	4a) Of the above claim(s) is/are withdraw	n from considerat	tion.			
7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 10 June 2003 is/are: a) accepted or b) objected to by the Examiner.	5) Claim(s) is/are allowed.					
8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☑ The drawing(s) filed on 10 June 2003 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner.	6)⊠ Claim(s) <u>1-24</u> is/are rejected.					
Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☑ The drawing(s) filed on 10 June 2003 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner.	7) Claim(s) is/are objected to.					
9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 10 June 2003 is/are: a) accepted or b) objected to by the Examiner.	, , , , , , , , , , , , , , , , , , , ,	election requirem	nent.			
10)⊠ The drawing(s) filed on <u>10 June 2003</u> is/are: a)⊠ accepted or b)□ objected to by the Examiner.	·· _					
			11 1 1 1 1 1 1 1	ha Evaniana		
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.						
If approved, corrected drawings are required in reply to this Office action.	,	, , ,		Ved by the Examin	ici.	
12) The oath or declaration is objected to by the Examiner.	_	-	on.			
Priority under 35 U.S.C. §§ 119 and 120	•					
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).		priority under 35	USC 8 119/a	n)-(d) or (f) .		
a) All b) Some * c) None of:	-	priority under 55	0.0.0. 3 110(0	i) (d) 01 (i).		
1. Certified copies of the priority documents have been received.	·- <u> </u>	: have heen receiv	ved			
Certified copies of the priority documents have been received in Application No	· · · · · · · · · · · · · · · · · · ·			on No		
3. Copies of the certified copies of the priority documents have been received in this National Stage	_ , , , , , , , , , , , , , , , , , , ,		• •		l Stage	
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	application from the International Bur	eau (PCT Rule 17	7.2(a)).		- Olago	
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).	14) Acknowledgment is made of a claim for domestic	priority under 35	U.S.C. § 119(e) (to a provisiona	al applicatio	n).
 a) ☐ The translation of the foreign language provisional application has been received. 15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. 	. —	• •				
Attachment(s)	Attachment(s)					
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4) Interview Summary (PTO-413) Paper No(s) 5) Notice of Informal Patent Application (PTO-152) 6) Other:	2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) 🔲 (Notice of Informal			



Art Unit: 3725

DETAILED ACTION

Claim Rejections - 35 USC § 103

Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over APA. See paper number 4 for this rejection.

Response to Arguments

Applicant's arguments filed 6/10/03 concerning the above rejection have been fully considered but they are not persuasive. It is first noted that the dependent claims have not been separately argued such that they stand or fall with the parent claims. In the independent claims, the assist member is a spring and the mount is a support for the spring. No patentable merit is seen in providing a spring for biasing purposes of known apparatus elements i.e. the feed pan. Springs are notoriously old in the mechanical arts and their addition to a known apparatus would have been well within the scope of one skilled in the art.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 3725

Page 3

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Rosenbaum whose telephone number is 703-308-1788. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alan Ostrager can be reached on 703-308-3136. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3579 for regular communications and 703-305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-

1148.

Mark Rosenbaum Primary Examiner Art Unit 3725

MR July 23, 2003